

**U.S. DEPARTMENT OF COMMERCE  
INFORMATION SYSTEMS TECHNICAL ADVISORY COMMITTEE  
CHARTER**

**1. Committee's Official Designation (Title).** Information Systems Technical Advisory Committee (ISTAC).

**2. Authority.** In accordance with Section 5(h)(1) of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 4601-4623 (the "Act")), the Assistant Secretary for Export Administration, Bureau of Industry and Security, made the following determinations necessary for the continuation of the work of the ISTAC:

1. Representatives of a substantial segment of the computer, electronics, and telecommunications equipment industry have requested the appointment of this technical advisory committee.
2. Articles, materials, and supplies of computers, electronics, and telecommunications equipment, including technical data and other information, are difficult to evaluate because of questions concerning technical matters, worldwide availability, actual use of the products and technology, and licensing procedures.

Consistent with Section 5(h)(4) of the Act, the Secretary of Commerce has consulted with the ISTAC with regard to its continuation and the ISTAC has recommended that the charter be renewed. The ISTAC was initially chartered in 1973 under the authority of the Export Administration Act of 1969, which expired on September 30, 1979. The ISTAC has continued to advise the Department under renewed charters since that time. The charter is hereby renewed consistent with the Act.<sup>1</sup>

**3. Objectives and Scope of Activities.** The objectives of the ISTAC are to advise and assist the Secretary of Commerce and other Federal agencies and officials referred to in Section 5(h)(2) of the Act with respect to actions designed to carry out the policy set forth in Section 3(2)(A) of the Act. The ISTAC will be consulted where a recognized need of the Department of Commerce exists with respect to questions involving: (a) technical specifications and policy issues relating to those specifications that are of concern to the Department; (b) worldwide availability of products and systems, including quantity and quality, and actual utilization of production technology; (c) licensing procedures that affect the level of export controls applicable to any goods, software, or technology; (d) revisions of the Control List, including proposed revisions of multilateral controls in which the United States participates; (e) the issuance of regulations; and (f) any other matters relating to actions designed to carry out the policy set forth in Section 3(2)(A) of the Act. The ISTAC's activities include evaluation and commentary on

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<sup>1</sup> Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222, of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of the August 4, 2016 (81 Fed. Reg. 52587 (Aug 8, 2016)), has continued the Export Administration Regulations (EAR) in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 et seq.). BIS continues to carry out the provisions of the Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222.

data and other evidence available from the Department, other reliable sources, and its own experience. The ISTAC will provide advice to the Department with respect to these matters. The Chairperson will submit an annual report and annual plan to the Department. The report will include a summary of the efforts of the ISTAC during the year and any recommendations agreed on by the ISTAC.

**4. Description of Duties.** The ISTAC functions solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App.

**5. Agency or Official to Whom the Committee Reports.** The ISTAC reports to the Assistant Secretary for Export Administration, Bureau of Industry and Security, U.S. Department of Commerce.

**6. Support.** The Office of Technology Evaluation, Bureau of Industry and Security, provides administrative support services for the ISTAC.

**7. Estimated Annual Operating Costs and Staff Years.** The estimated annual operating cost of the ISTAC is \$34,545, which includes an estimated 0.3 person-year of staff support.

**8. Designated Federal Officer (DFO).** The Assistant Secretary for Export Administration will designate a full-time or permanent part-time employee of the Bureau of Industry and Security to serve as the DFO for the ISTAC in accordance with agency procedures. The DFO will approve or call all of the committee and subcommittee meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair committee meetings when directed to do so by the Assistant Secretary for Export Administration.

**9. Estimated Number and Frequency of Meetings.** The ISTAC meets at least every three months at the call of the Chairperson, unless the Chairperson determines, in consultation with other members of the ISTAC, that such a meeting is not necessary to achieve the purposes of the Act. Meetings and work of the ISTAC shall be consistent with the provisions of Section 5 of the Act as well as the provisions of the Federal Advisory Committee Act.

**10. Duration.** Continuing.

**11. Termination.** This charter will terminate two years from the date of the filing of this charter with the appropriate U.S. Senate and House of Representatives Oversight Committees unless earlier terminated or renewed by proper authority. As required by Section 5(h)(4) of the Act, the Secretary shall consult the ISTAC with regard to termination or extension of the Committee.

**12. Membership and Designation.** The ISTAC consists of not more than 60 members from industry and government who are appointed by the Secretary of Commerce. All members serve at the pleasure of the Secretary. Industry members are qualified persons from a

representative cross-section of the United States who are associated with the export of commodities and technical data of the types subject to control under the EAR. Government members are, to the extent possible, specialists in these product areas or export control specialists. Consistent with Section 5(h)(1) of the Act, the industry members shall not serve on the ISTAC for more than four consecutive years. Members who do not attend four consecutive ISTAC meetings will have their membership terminated.

Industry members will not be compensated for their services, nor will they be reimbursed for travel, subsistence, and other expenses incurred by them in connection with their duties as members of the ISTAC.

The Chairperson will be elected by the ISTAC as required by Section 5(h)(4) of the Act. It is desired that the Chairperson serve only a two-year term; however, with a majority vote the Chairperson may be re-elected, subject to continuation of the ISTAC.


Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance.

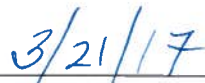
Non-federal members serve in a representative capacity and not as special government employees. Federal members serve as regular government employees.

All members must be able to qualify for a Secret security clearance.

**13. Subcommittees.** The ISTAC may establish such subcommittees from among its members as may be necessary, subject to the provisions of the Federal Advisory Committee Act and applicable Department of Commerce guidance. Any subcommittees established must report back to the parent committee, and must not provide advice and work products directly to the agency. Subcommittee members must be approved by the Assistant Secretary for Export Administration.

**14. Recordkeeping.** The records of the ISTAC, formally or informally, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

  
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Chief Financial Officer and  
Assistant Secretary for Administration

  
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Filing Date

